

# **EXHIBIT 6**

1       \* \* C O N F I D E N T I A L \* \*  
2       UNITED STATES DISTRICT COURT  
3       NORTHERN DISTRICT OF CALIFORNIA  
4       SAN JOSE DIVISION  
5       Case No. 5:20-cv-5146-LHK  
6       -----x  
7       PATRICK CALHOUN, ELAINE CRESPO,  
8       HADIYAH JACKSON and CLAUDIA  
9       KINDLER, on behalf of all  
10      others similarly situated,  
11                        Plaintiffs,  
12  
13                       - against -  
14                        GOOGLE LLC,  
15                        Defendant.  
16                       -----x  
17                       (Caption Continued)  
18                       November 24, 2021  
19                       9:06 a.m.  
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21                       VOLUME II  
22  
23                       Continued Videotaped Deposition of  
24        ABDELKARIM MARDINI, taken by Plaintiffs,  
25        pursuant to Notice, held via Zoom  
      videoconference, before Todd DeSimone, a  
      Registered Professional Reporter and Notary  
      Public of the States of New York and New  
      Jersey.

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN JOSE DIVISION  
4 Case No. 5:20-cv-03664-LHK

5 -----x  
6 CHASOM BROWN, WILLIAM BYATT,  
7 JEREMY DAVIS, CHRISTOPHER  
8 CASTILLO and MONIQUE TRUJILLO,  
9 individually and on behalf of all  
10 others similarly situated,

11 Plaintiffs,

12 - against -

13 GOOGLE LLC,

14 Defendant.  
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1 document?

2 Q. Yes.

3 (Witness perusing document.)

4 A. Yes.

5 Q. Mr. Mardini, do you see the  
6 second bullet point there states  
7 "Sundar/Sin Rastro wants to expand the  
8 incognito brand to other Google product and  
9 to provide privacy towards Google (versus  
10 only local privacy)"?

11 Do you see that?

12 A. Yes.

13 Q. If you know, did Mr. Pichai  
14 want to expand the incognito brand to other  
15 Google products?

16 MR. SCHAPIRO: Objection, calls  
17 for speculation.

18 A. As I said, I have not met or  
19 been on e-mail threads or videoconferences  
20 with Mr. Pichai, but I do know that, you  
21 know, via hearing about it from other  
22 people that there was a desire to expand  
23 our incognito brand to other Google apps.

24 Q. And based on your discussions  
25 with others, was it your understanding that

1 it was Mr. Pichai's desire to expand the  
2 incognito brand to other Google apps?

3 MR. SCHAPIRO: Objection to the  
4 form of the question, calls for  
5 speculation.

6 A. No, I wouldn't say that this  
7 was exclusively the case. I have been in  
8 discussions with the PDPO team, the privacy  
9 and data protection office at Google who  
10 were interested in that, irrespective of  
11 anything related to Mr. Pichai.

12 Also, I have been -- probably  
13 some folks reached out to me from the  
14 Google search app maybe or YouTube, I don't  
15 remember, and wanted to learn a little bit  
16 about how Chrome incognito works and what  
17 are the promises that Chrome incognito  
18 makes.

19 But users -- not users --  
20 Googlers or employees in Google sometime  
21 drop the name to get your attention. So  
22 they would use that sometimes as a  
23 technique to ensure that this request or  
24 this request for meeting or this e-mail  
25 gets the right level of attention or

1 traction. So I would be very skeptical or  
2 wary when someone sends me an e-mail saying  
3 executive X wants this now, as a technique  
4 to make me like maybe prioritize the  
5 request.

6 Q. If you go on to the fourth  
7 bullet, it states "Chrome is a Google  
8 product. And Chrome is a browser."

9 Do you see that?

10 A. Yes.

11 Q. Do you agree with that?

12 A. Yes.

13 Q. And then the next bullet states  
14 "We all agree that we want to expand  
15 incognito mode to also offer some privacy  
16 towards Google. But we need to align on  
17 what level of privacy towards Google we can  
18 and want to support."

19 Do you see that?

20 A. Yes.

21 Q. Do you have an understanding as  
22 to what that means, "We all agree that we  
23 want to expand incognito mode to also offer  
24 some privacy towards Google"?

25 MR. SCHAPIRO: Objection, calls

1 for speculation.

2 A. I did not write this specific  
3 line or this specific bullet, so I cannot  
4 assert what expanding of incognito mode to  
5 offer some privacy toward Google would mean  
6 exactly.

7 Q. Well, going back to the second  
8 bullet where it says "and to provide  
9 privacy towards Google (versus only local  
10 privacy)," what understanding, if any, do  
11 you have as to what that means?

12 MR. SCHAPIRO: Objection, calls  
13 for speculation.

14 A. My understanding of this is  
15 local privacy is what I mentioned about not  
16 leaving any trace behind on the local  
17 device. Privacy towards Google would imply  
18 things like preventing you from logging in,  
19 from signing in to a Google property if you  
20 are in incognito mode.

21 Q. Would privacy towards Google  
22 involve not logging/deleting logs from  
23 Chrome incognito browsing?

24 MR. SCHAPIRO: Objection to the  
25 form of the question.

1 CERTIFICATION  
2

3 I, TODD DeSIMONE, a Notary Public for  
4 and within the State of New York, do hereby  
5 certify:

6 That the witness whose testimony as  
7 herein set forth, was duly sworn by me; and  
8 that the within transcript is a true record  
9 of the testimony given by said witness.

10 I further certify that I am not related  
11 to any of the parties to this action by  
12 blood or marriage, and that I am in no way  
13 interested in the outcome of this matter.

14 IN WITNESS WHEREOF, I have hereunto set  
15 my hand this 1st day of December, 2021.

16  
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19 TODD DESIMONE  
20 \* \* \*  
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